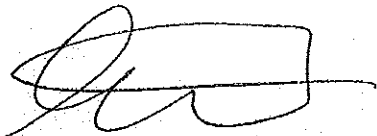# EX. "A"

Affidavit

I, Stephen Doherty, being duly sworn, deposes and says that:

1. I offer this Affidavit in opposition to Defendant Joshua Lubeck's Motion to Dismiss Complaint.

2. In October 1997, my deceased wife, Judith Lubeck Doherty, my son Jacob, and I moved from New Jersey to our residence in Bucks County Pennsylvania.

3. At the time we relocated, my deceased wife's father, Dr. Stanford Lubeck, resided in Yardley, Bucks County, Pennsylvania.

4. Dr. Lubeck continued to reside in Pennsylvania until his retirement in or about June of 2000, whereupon he relocated to Florida.

5. Prior to my then wife's death in October, 2001, her brother Joshua Lubeck and his family visited Pennsylvania on numerous occasions during the approximately four (4) years we resided there often staying overnight with his family at our Pennsylvania residence for family gatherings and birthday parties as well as flying in and out of Philadelphia International Airport to visit Dr. Lubeck in Florida, and vacationing at Dutch Wonderland in Lancaster County Pennsylvania.

6. Additionally, beginning in or before 1997 and continuing to present, Joshua Lubeck and his family visit Pennsylvania every year to break the fast of Yom Kippur with the Moskovitz family in Fort Washington, Pennsylvania.

7. After my deceased wife's cancer diagnosis in November 1999 until her death in 2001, her brother Joshua Lubeck and his family increased the amount of their overnight stays at our Pennsylvania residence.

State of Pennsylvania   )

) SS:

County of Bucks   )

Stephen Doherty   6/1/11

On the 1 day of June, 2011, before me personally came Stephen Doherty to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he/she executed same.

Megan E. McGuirk
Notary